

REMARKS

Claims 1-6 and 8-11 are currently pending. Claims 1, 3, 4, 6 and 8 are proposed to be amended. Support for the claim changes may be found at least in Figures 1A, 1B and 2 of the present application and in corresponding sections of the Description. Of course, the above-noted claims are not intended to be limited to the examples illustrated in Figures 1A, 1B and 2. Entry of the Amendment and reconsideration of the above-identified application are respectfully requested.

The Office Action includes a rejection of claims 1-6 and 8-11 under 35 U.S.C. §102(b) as allegedly being anticipated by the *Matsumoto et al.* publication (JP 9-178974). This rejection is respectfully traversed.

Claim 1 recites a laser diode module comprising a laser diode, a lens provided on an optical path of a laser beam emitted by the laser diode, a polarizer provided on an optical path of the laser beam transmitted by the lens, and an optical fiber provided at a location to which the laser beam transmitted by the polarizer is optimally coupled. Claim 1, as previously amended in Applicant's February 25, 2003 Amendment, further recites that the polarizer is angled so that a direction of polarization permitted to pass through the polarizer is rotated about an optical path of the laser beam passing through the polarizer relative to a direction of polarization of the laser beam transmitted by the lens. As clarified by the Examiner during a telephone discussion with undersigned on May 19, 2003, the Office has interpreted this latter language to mean that the direction of polarization of the laser beam is subsequently rotated after the laser beam passes through the polarizer. However, this is not what the above-noted claim language recites. Rather, as is evident from Figure 2 and pages

10-11 of the present application, for example, the above-noted language of claim 1 means that the polarization direction of the *polarizer* is rotated about an optical path of the laser beam passing through the polarizer, relative to a direction of polarization of the laser beam transmitted by the lens. For example, the present Description states (page 10, lines 10-17), "The direction of polarization permitted to pass through the polarizer 4a of the optical isolator 4 is angled against the direction of polarization of the incident laser beam. This is equivalent to angling of the direction of polarization of the laser beam with respect to the polarizer 4a of the optical isolator 4."

Accordingly, Applicant respectfully submits that the above-noted language of claim 1, as amended in the February 25, 2003 Amendment and read in light of the specification, is amply clear such that one of ordinary skill in the art would readily understand what is being claimed (and similarly for claims 4 and 8). Moreover, Applicant submits that claim 1 as amended in the February 25, 2003 Amendment is distinguishable over the *Matsumoto et al.* publication at least for reasons set forth in that Amendment (and similarly for claims 4 and 8) .

While Applicant submits that claim 1 in its previous form clearly distinguished the claimed invention from the *Matsumoto et al.* publication, in an effort to advance prosecution, claim 1 is proposed to be amended to recite even more explicitly that the polarization direction of the polarizer is rotated about an optical path of the laser beam passing through the polarizer relative to a direction of polarization of the laser beam transmitted by said lens. Similarly, Applicant submits that claims 4 and 8 in their previous forms clearly distinguished the claimed invention from the *Matsumoto et al.* publication at

least for reasons set forth in the previous Amendment. However, in an effort to advance prosecution, claims 4 and 8 are proposed to be amended in a manner similar to claim 1. For reasons set forth above, these changes to claims 1, 4 and 8 are not intended to narrow the scopes of the affected claim elements.

In contrast, the *Matsumoto et al.* publication does not disclose a polarizer angled such that the polarization direction of polarizer is rotated about an optical path of the laser beam passing through the polarizer relative to a direction of polarization of the laser beam transmitted by said lens. Rather, the *Matsumoto et al.* publication discloses a polarizer 11 oriented such that its plane of incidence 11a is leaned at an angle relative to a center line X and such that light reflected from the plane of incidence 11a does not return to the light emitting device 20 (see paragraphs 20 and 21 of the translation provided by the Office). The *Matsumoto et al.* publication contains no disclosure of a polarizer angled such that the polarization direction of the polarizer is rotated about an optical path of the laser beam passing through the polarizer relative to a direction of polarization of the laser beam transmitted by said lens as recited in claim 1. Claim 1 is not anticipated by the *Matsumoto et al.* publication for at least this reason. Withdrawal of the rejection and allowance of claim 1 is respectfully requested. Claims 2, 3 and 9 depend from claim 1, and these claims are therefore allowable at least by virtue of dependency. Allowance of claims 2,3 and 9 is respectfully requested.

In addition, contrary to the Office's suggestion, Applicant respectfully submits that claim 9 recites subject matter not disclosed in the *Matsumoto et al.* publication. Claim 9 recites that the polarizer is oriented perpendicular to an optical axis of the laser diode

module. Claim 9 was rejected (along with claims 10 and 11) without explanation other than the statement, "Regarding claims 9-11, Matsumoto et al discloses on figure 1 all of the structures set forth in the claimed invention 9-11." (Page 4 of April 24, 2003 Office Action.) In rejecting claim 1, the Office alleged that the *Matsumoto et al.* polarizer 11, which leans at an angle relative to the optical axis as illustrated in Figure 1 therein, corresponds to the polarizer recited in claim 1. Given that the *Matsumoto et al.* polarizer 11 leans at an angle relative to the optical axis, is not understood how the *Matsumoto et al.* polarizer 11 can also be viewed as being oriented perpendicular to the optical axis. Accordingly, claim 9 is not anticipated by the *Matsumoto et al.* publication for at least this additional reason.

Claims 4 and 8 have been amended as discussed above, and similar distinctions between the subject matter disclosed in the *Matsumoto et al.* publication and that recited in claims 4 and 8 exist as have already been described above with regard to claim 1. Claims 4 and 8 are not anticipated by the *Matsumoto et al.* publication for at least this reason.

Withdrawal of the rejection and allowance of claims 4 and 8 are respectfully requested.

Claims 5, 6 and 10 depend from claim 4, and claim 11 depends from claim 8.

Accordingly, these claims are therefore allowable at least by virtue of dependency.

Moreover, claims 10 and 11 are additionally allowable for reasons similar to those set forth above with regard to claim 9.

Since the amendments to claims 1, 4 and 8 highlight even more explicitly a distinguishing feature of the claimed subject matter not disclosed in the *Matsumoto et al.* publication, entry of this Amendment is submitted to be proper as it places the application

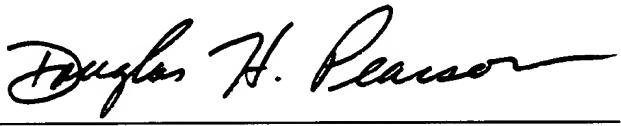
in condition for allowance (See MPEP § 714.12). Even if this Amendment is not entered, however, Applicant submits that the claims are allowable in their previous forms, at least because the *Matsumoto et al.* publication does not disclose a polarizer angled in the manner claimed in these claims. With regard to claim 1, for example, the *Matsumoto et al.* publication does not disclose a polarizer angled so that a direction of polarization permitted to pass through said polarizer is rotated about an optical path of the laser beam passing through the polarizer relative to a direction of polarization of the laser beam transmitted by a lens as claimed. That is, the *Matsumoto et al.* publication contains no disclosure of a polarizer angled such that the polarization direction of the polarizer is rotated about an optical path of the laser beam passing through the polarizer relative to a direction of polarization of the laser beam transmitted by a lens as claimed. Claims 4 and 8 are distinguishable in their previous forms at least for similar reasons. Accordingly, a Notice of Allowance is submitted to be in order, and is therefore respectfully solicited.

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In light of the foregoing, withdrawal rejections of record are respectfully requested so that the present application may pass to issuance. Should there be any questions remaining in connection with this application, the Office is invited to contact the undersigned at the number below.

Respectfully submitted,

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